

**UNITED STATES DISTRICT COURT**  
**FOR THE DISTRICT OF NEW JERSEY**

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COTAPAXI MANUFACTURING,	:	
	:	
Plaintiff,	:	
	:	Civil Action No. 07-4378 (JAG)
V.	:	
	:	
PACIFIC DESIGN AND,	:	<b>ORDER</b>
MANUFACTURING, INC., et al.,	:	
	:	
Defendant.	:	
	:	

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**GREENAWAY, JR., U.S.D.J.**

On March 3, 2009, Magistrate Judge Madeleine Cox Arleo filed a superceding Report and Recommendation (“R&R”) (Docket Entry No. 18), pursuant to FED. R. CIV. P. 72(b) and L.CIV. R. 72.1(a)(2), in which she recommended that the Defendants’ Answer and Counterclaim (Docket Entry No. 5) be stricken from the record and that Default be entered against Defendants. The time period for filing objections to the R&R has elapsed, and no objections have been submitted.

A magistrate judge’s recommended disposition of a dispositive matter is subject to de novo review. See In re U.S. Healthcare, 159 F.3d 142, 145-46 (3d Cir. 1998); Temptations, Inc. v. Wager, 26 F. Supp. 2d 740, 743 (D.N.J. 1998) (“This Court will treat his order as a report and recommendation and will review de novo . . .”); see also FED. R. CIV. P. 72(b). This Court has reviewed the record and the R&R under the applicable de novo standard, and is in agreement

with Magistrate Judge Arleo's analysis and conclusion.

It is on this 18<sup>th</sup> day of March 2009

ORDERED that Magistrate Judge Arleo's R&R (Docket Entry No. 17) is adopted as the opinion of this Court; and it is further

ORDERED that Defendants' Answer and Counterclaim (Docket Entry No. 5) is STRICKEN; and it is further

ORDERED that Default be entered against Defendants; and it further

ORDERED that Plaintiff, Cotapaxi Manufacturing, be permitted to proceed to judgment by default; and it is further

ORDERED that a copy of this Order be served on all parties within seven (7) days of the date of entry of this Order.

S/Joseph A. Greenaway, Jr.  
JOSEPH A. GREENAWAY, JR., U.S.D.J.